

**REMARKS/ARGUMENTS**

Claims 1-25 are pending in the application. By this Amendment, claims 3, 7 and 9 are amended and claims 16-25 are added. Support for the new claims can be found throughout the originally filed specification and drawings. Reconsideration and withdrawal of the rejection in view of the foregoing amendments and the following remarks is respectfully requested.

**I. Rejection Under 35 U.S.C. §103(a)**

Claims 1-15 are rejected under 35 U.S.C. §103(a) over Shintani (U.S. Patent No. 5,978,046), in view of Kahn (U.S. Patent No. 6,678,009), and further in view of Cohen-Solal (U.S. Patent No. 7,206,029). The rejection is respectfully traversed.

Shintani is directed to a television receiver which is capable of superimposing a sub-picture onto a main picture. Shintani teaches that a caption for the sub-picture can also be displayed. Shintani does not disclose or suggest that a size, position, brightness or contrast of the sub-picture can be altered by the user.

The Kahn reference discloses a display system which can display a picture in a variable size window. The user can control the size and shape of the window in which the main picture appears. However, Kahn fails to disclose or suggest a sub-picture being superimposed on the main picture, or altering any characteristics of such a sub-picture.

The Cohen-Solal reference discloses a display system where a sub-picture can be superimposed on a main picture. The Cohen-Solal reference indicates that the display system would automatically analyze the main picture being displayed to determine an optimum location for the sub-picture. The sub-picture is then superimposed on the main picture at the optimum

location. This reference also indicates that a size of the sub-picture may be adjusted so that the sub-picture does not obscure an important region of the main picture.

Claim 1 of the present application is directed to a video display appliance which is capable of adjusting characteristics of a sub-picture which is superimposed on a main picture. Claim 1 recites an on-screen display (OSD) output unit for outputting an OSD menu which is superimposed on a signal outputted from a PIP processing unit. Claim 1 also recites a microcontroller, wherein the microcontroller outputs a sub-picture OSD adjustment menu for adjusting the sub-picture. Claim 1 also recites a key input unit which is provided with menu selection and vertical and horizontal adjustment buttons. The display appliance recited in claim 1 is capable of adjusting characteristics of the sub-picture which is being superimposed on the main picture.

Claim 11 of the present application is directed to a method of adjusting a sub-picture using an on-screen display (OSD) menu. Claim 11 recites steps of judging whether a sub-picture adjustment mode has been selected by a user, displaying a sub-picture OSD adjustment menu on the screen, detecting manipulation of vertical or horizontal adjustment buttons of a key input unit, varying a level in response to the button manipulation, and changing the corresponding function of the actual sub-picture. The method recited in claim 11 allows a user to call up an OSD menu and use the menu to alter characteristics of the sub-picture being superimposed on the main picture.

The Office Action asserts that it would have been obvious, to one of ordinary skill in the art, to selectively combine portions of the Shintani, Kahn and Cohen-Solal references to arrive at a device as recited in claim 1, or a method as recited in claim 11. It is respectfully submitted that

such a combination of references would not have been obvious and that the combination is improper.

None of the three references cited in the Office Action disclose or suggest altering characteristics of a sub-picture which is being superimposed on a main picture. Further, none of the references disclose or suggest using an OSD menu to modify characteristics of a sub-picture being superimposed on a main picture. Specifically, none of the references disclose or suggest altering a vertical or horizontal position of a sub-picture, altering a vertical or horizontal size of a sub-picture, or altering a brightness or contrast of the sub-picture.

The only motivation for selectively combining elements of the three cited prior art references to arrive at the claimed apparatus and methods is the use of hindsight, in view of the Applicant's own invention. The references themselves, and no knowledge of one of ordinary skill in the art, would have led to a selective combination of the three prior art references which would arrive at a device and the method as recited in the present application. Because the prior art references can only be combined to arrive at the claimed invention via the improper use of hindsight, it is respectfully submitted that the combination is improper and that the rejection should be withdrawn.

## **II. New Claims 16-25**

By this Amendment, claims 16-25 are added to the application. Claims 16 and 17 depend from claim 1 and are allowable for the reasons discussed above, and for the additional features which they recite. Applicant notes that even if one were to improperly combine the Shintani, Kahn and Cohen-Solal references, the combination would still fail to disclose or suggest a video

display appliance having a memory unit that stores a luminance signal and a chrominance signal for the sub-picture that is outputted from the sub-picture signal processing unit. It is respectfully submitted that the dependent claims are also allowable for these additional reasons.

Claim 18 is directed to a video display appliance, and claims 19-21 depend from new claim 18. Claim 22 is directed to a method for adjusting a sub-picture display. Claims 23-25 depend from claim 22. It is respectfully submitted that new claims 18-25 are also allowable over the references of record for reasons similar to those discussed above.

### CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that additional changes would place the application in better condition, the Examiner is invited to contact the undersigned at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
KED & ASSOCIATES, LLP



John Q. Eisenhart  
Registration No. 38,128

P.O. Box 221200  
Chantilly, Virginia 20153-1200  
(703) 766-3777 JCE/krf

**Date: November 5, 2007**

**Please direct all correspondence to Customer Number 34610**

\\Fk4\Documents\2025\2025-018\131490.doc